

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/30/13
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REED ENERGY, LLC and REED ENERGY
EXPLORATION, INC.,

Plaintiffs,

-against-

REGENT PRIVATE CAPITAL LLC, REGENT
PRIVATE CAPITAL II, LLC, CHARLES
STEPHENSON and LAWRENCE FIELD,

Defendants.

ORDER

13 Civ. 6656 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:


Plaintiffs filed this action on September 19, 2013, asserting that this court has diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). However, one of the plaintiffs is a limited liability company and limited liability companies are deemed to be citizens of all the states in which their constituents are citizens. See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship, 213 F.3d 48, 51 (2d Cir. 2000) (citing Carden v. Arkoma Assocs., 494 U.S. 185 (1990)). Plaintiffs have failed to identify the members of that limited liability company and allege their citizenship. Additionally, Plaintiffs have not made any allegations regarding the citizenship of the defendant limited liability companies.

As such, I order, sua sponte, that the case is dismissed for lack of subject matter jurisdiction, subject only to a motion by Plaintiffs (if Plaintiffs choose to make such a motion)

for leave to amend the complaint showing sufficient basis for jurisdiction. The Clerk shall mark the case closed.

SO ORDERED.

Dated: September 25, 2013
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge